



THE FIGHT FOR FREE SCHOOLS IN PENNSYLVANIA

PENNSYLVANIA'S leadership in education was the consequence of the fight for free elementary schools waged between 1833 and 1836. It is largely due to the groundwork laid by three men, Timothy Pickering, Samuel Breck, and Thaddeus Stevens.

Elementary education in Pennsylvania during the early years of the nineteenth century and before was the concern of private individuals, and not of the State. Much progress was made, however, and there is plenty of evidence to show that schools and teachers were reasonably numerous even in colonial days. Many religious denominations established schools in connection with their places of worship. In other cases, par-

ents would join together to establish schools—the so-called subscription schools. Sometimes, itinerant schoolmasters would themselves establish schools, inviting parents to send their children in return for a moderate tuition fee paid very often mainly by board and lodging. In these types of schools, the teacher would "board around" in the homes of the parents of his flock.

These schools established by private initiative made no provision for children whose parents were too poor to pay tuition. The early Education Acts passed by the Pennsylvania Legislature aimed to provide education for this class, for those too poor to pay. They were usually known as Pauper Education Acts, and it can readily be seen how in-

effective they must have been, because of the social stigma as paupers placed upon the children whom these Acts were intended to help. The first of the Pauper Education Acts was passed in 1802; the second in 1804; and the third in 1809. The Act of 1809 remained in force for the State as a whole until 1834, and for many districts it was in force for a much longer period.

The educational provision of the State Constitution of 1790 was actually the basis of the Free Public School Act of 1834. The provision for education in the earlier Constitution of 1776 was so phrased that it would have been impossible to set up a system of free schools under it. In the State Constitutional Convention of 1789-90, an effort was made to re-adopt this provision, but this move was blocked by the eloquence and zeal of Timothy Pickering, a native of New England who had settled in Luzerne County. As a result of Pickering's efforts, ably supported by McKean of Philadelphia and Findley of Westmoreland, the section on education finally read:

SECTION 1. The Legislature shall, as soon as conveniently may be, provide by law for the establishment of schools throughout the State, in such a manner, that the poor may be taught gratis.

SECTION 2. The arts and sciences shall be promoted in one or more Seminaries of learning.

This was the sole constitutional basis for the free public school system set up in 1834. The Supreme Court of the State decided that it was not unconstitutional for the rich as well as the poor to be taught gratis. It is certain that Pickering and his supporters understood the section in this way. However, the majority did not so understand it, and it was forty-four years before the tree planted by Timothy Pickering finally bore fruit.

In the years from 1790 to 1833, there was a mounting demand for legislation to meet more effectually the implied promise of general education in the Constitution of 1790. Many recognized that the pauper education laws were not satisfactory and agitated for a more generous system in which class discrimination could be eliminated. The rise of Jacksonian democracy in the thirties underlined this defect in the old system. An Act of 1824 provided for three years of free public education, but this was repealed in 1826, the Act of 1809 going back into effect.

The agitation for free public elementary

schools continued, and came to a head in 1833 when Samuel Breck of Philadelphia came to the State Senate with a firm resolve to do something to establish a system of general free education applying to the entire State.

Samuel Breck, like Pickering, was a native of New England. A man of wealth, he had been educated in France, had been there during the French Revolution, and knew most of the great men of that day, from Talleyrand to William Pitt the younger. He belonged to a political party that was nearly extinct in 1833, the old Federalist party of Hamilton and Pickering, and we are told that he returned to politics under the Democratic label for the sole purpose of doing something for education. When he succeeded, he dropped out of public life once more, leaving the battle to prevent repeal of his Act to other men.

Breck left an interesting diary from which excerpts tell the story of the passage of the Act of 1834:

Monday, December 9, 1833. Gen. McKean, the Secretary of the Commonwealth, introduced me to the Governor's room. I was received very cordially, for I voted for his friend McKean. My business with the Governor was to learn from him whether he had collected any facts in regard to Education and Proxies, two items in his message which had been referred to two committees of which I was chairman. I was surprised to learn from him that in regard to the first, he had never thought of any system of general education, although so often the theme of his public messages.

Two days later, Breck told his diary:

The chief occupation that I propose to myself this session is the formation of a system of general education; for which purpose I introduced into the Senate, on the first day of its meeting, a resolution appointing a Joint Committee of the two Houses, to which should be referred all matters that have relation to the subject. That resolution has been adopted, and it now remains for me to call the Joint Committee together for the purpose of organizing and commencing business. As I am Chairman, I may be expected to take the lead; I shall, therefore, address letters to the Governors of the States where universal education is in operation

Breck fought against ill health while he carried on this extensive correspondence, and worked on the Committee report and on the bill which embodied its findings. His diary continues:

Sunday, January 19, 1834. Here is a gap in my Journal, owing to constant occupation on the report and bill prepared by me on the subject of general education. These with other legislative duties, and sometimes ill health, have caused its neglect.

Saturday, February 1. My general education bill, report and appendix, having been printed today, I sat up until midnight sending off about two hundred copies, and then went to bed sick.

Thursday, February 27. The general school bill, introduced by me, has passed the House of Representatives by a unanimous vote, save one, and the *nay* man is named *Grim*.

March 15, 1834. This morning, the educational bill, which has engaged much of my attention, passed the Senate with three dissenting voices, and these decidedly the most ignorant and least educated of its members . . . These three, with Grim in the House of Representatives, form the minority in the Legislature. It is truly honorable that so good a bill should have passed so nearly by unanimous vote. If the measure shall work well, my public life will have resulted in some good.

The Act was signed by the Governor on April 1, 1834. Judging by the storm of opposition which broke out when the people of Pennsylvania heard

of the Act, it was not merely truly honorable that it was passed almost unanimously; it was miraculous. The storm surpassed in violence what followed the ill-fated Act of 1824, and it seemed very probable that the new Act would be erased from the statute books by the next Legislature. It was not enough merely to pass a free public school act; it was necessary to fight to prevent its repeal.

The Act provided that each county should be a school division, and every ward, township, or borough a school district. Sections 2 and 3 provided for the election of school directors very much as at the present time. The permissive features of the bill were in Sections 4, 5, 6 and 7, which provided for annual meetings in each county of the county commissioners—and a representative of each school board in the county. These joint meetings would decide whether a county school tax should be levied for the support of common schools, and if in favor, would arrange for a tax levy which should be sufficient to yield at least twice the amount given by the State. If the vote was against levying a tax, the districts would receive no money from the State, and would continue to operate under the Act of 1809.

The vote on acceptance or rejection was to be held on the third Friday in September, 1834. Of the 987 districts in the State, 502 accepted the Free Public School Act, while only 264 actually rejected it.

In general, the western counties favored free public education, because they were newer and



their customs or ways of taking care of their educational problems had not become deeply rooted. In the northern tier of counties the strong New England element favored this new plan which resembled what they had been used to in their native states. The Act was generally supported by the better educated and more progressive individuals and communities. The organizations of workingmen in the cities favored it, as did some of the churches, the Methodists and Presbyterians, in particular.

Who were the opponents of free public education? The aristocrats felt that education should be only for the "better" people, the "well-born" or the wealthy. The conservatives or "stand-patters" opposed it just because it was new. Some taxpayers, rich and poor, thought it meant too great an increase in taxation. Non-English-speaking groups feared that the free schools would cause the loss of their languages and distinctive cultures. There was also an element who had no use for "book-learning," and had great contempt for teachers and schools.

The election of members of the new Legislature was held in November, 1834. Many friends of the Act were defeated, and others were re-elected only after a promise to reverse their former stand. The Assembly met on December 2, and at once many bills were presented either to amend the Act or to repeal it altogether. Governor George Wolf, in his message of December 3, took a bold, firm stand in favor of the Act. This encouragement to the friends of the Act was timely, for a flood of petitions poured in upon the legislators, praying for the immediate repeal of the Act. The petitions came from 38 counties, and had more than 32,000 signers.

The State Senate had a clear majority against the Act, and passed a bill which virtually repealed it by a vote of 19 to 11. Thirteen Senators who had voted for the Act, now voted against it. Oddly enough, the House of Representatives, which is supposed to be more responsive to popular sentiment, was more favorable to free schools. The Speaker, Thompson of Erie, had been a member of the old Joint Committee, and the House Committee on Education with but one exception favored the Act, suggesting only some minor changes. The Committee reported a bill simplifying the Act, but retaining its essential features. There was a fierce struggle in the

House Committee of the Whole between the supporters of the Senate Bill and the defenders of the Committee's Bill. A man stepped forward who had not hitherto taken an important part in the struggle, and by his powerful oratory strengthened the wavering and turned the tide in favor of free schools. Thaddeus Stevens, caustic critic of the administration, turned the fire of his eloquence upon the opponents of free schools in one of the greatest speeches in Pennsylvania history. This speech is credited with winning the day for free schools. The Committee's version making only some minor changes in the Act of 1834, finally passed the House on April 11, 1835. The Senate concurred, believing that the minor changes were better than no change at all, and the cause of free schools was triumphant.

Our public schools of today are the result of the successful outcome of that great struggle. True, some minor changes were again made in 1836, permitting school districts to withdraw from the free school system three years after voting into it, but this had the effect of inducing even more districts to join, as they could withdraw again if they did not like it. The struggle waged in 1834 and 1835 laid the legislative foundation for all the tremendous development of the public school system in Pennsylvania. After elementary schools came other equally significant institutions, the high school, the normal school. Teacher certification, progress in educational methods, a broadening of the curriculum, all these and many other valuable steps forward in preparing the children of Pennsylvania to be good citizens, were the ultimate results of the establishment of free elementary schools.

Of Timothy Pickering who laid the constitutional foundation for the Act; of Samuel Breck who drafted the Act and secured its adoption; and of Thaddeus Stevens whose eloquence saved it from repeal, it may be said, paraphrasing the words applied to a great architect and his building, "If you seek their monuments, look about you." In every town and township of our Commonwealth the public schools are training children to be useful citizens, loyal to the principles upon which our Republic is founded, and aware of their duties as citizens to maintain those ideals.